

13. (amended) The method of claim 12, further comprising applying a heat treatment to the first and second layers, wherein the heat treatment is carried out at a temperature not greater than 850° C.

Remarks

Claims 1-17 are pending in the reissue application. Claims 10, 11 and 13 have been amended. Therefore, claims 1-17 are currently pending.

Applicant submits that claims 10 and 11 were written as being dependent upon claim 9, instead of claim 8, resulting in an unnecessary limitation. Claim 10 in effect claims a range of 700° C - 800° C, where support exists in the patent specification to claim a temperature of less than 800 °C. Support for the amendment to claim 10 may be found at least at col. 4, lines 34-36.

The patent specification provides support for the elements of claim 11 without limiting the method to the temperature of claim 9. Support for the amendment to claim 11 may be found at least at col. 3, lines 45-47; and col. 4, lines 16-23.

Further, Applicant submits that claim 13, describing a treatment, was written as depending from claim 12, which fails to recite a heat treatment application step. Claim 13 has been amended to include the step of "applying a heat treatment...". Thus, Applicant submits that claim 13 now has correct antecedent basis. Support for the amendment to claim 13 may be found at least at col. 4, lines 34-36.

For the foregoing reasons, Applicant respectfully requests that this Amendment be entered in the application for reissue.

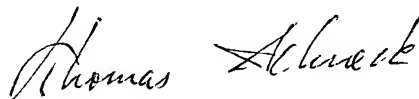
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Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

10. (amended) The method of claim[9] 8, wherein the heat treatment is carried out at a temperature of less than 800° C.

11. (amended) The method of claim 8 [9] wherein the semiconductor substrate has a plurality of polysilicon conductors on a top surface thereof and wherein the second layer of film is planarized to be of a thickness of at least 200 nm above the polysilicon conductors.

13. (amended) The method of claim 12, further comprising applying a heat treatment to the first and second layers, wherein the heat treatment is carried out at a temperature not greater than 850° C.